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September 27, 2011

Judge Lewis A. Kaplan
United States Courthouse
500 Pearl Street
New York, NY 10007

re: USA v. Correa, et al.
S3 11 CR 59 (LAK)

SENTENCING MEMORANDUM

Dear Judge Kaplan:

The defendant David Marte is submitting this memorandum concerning his sentencing which is scheduled for October 7, 2011. Mr. Marte pleaded guilty under counts 1 and 2 to conspiracy to distribute and possess with intent to distribute in excess of 50 grams and 280 grams of crack cocaine, respectively. The presentence report ("PSR") as well as his plea agreement calculate an advisory sentencing guidelines range of 121-151 months based on an offense level of 31 and a criminal history category II. He is 24 years old.

Although collateral consequences on family members often occur, the Court should consider that the tragic consequences for Mr. Marte's 8 year-old son are profound, since his son will be maturing during these years without the guidance and support of his father. The enclosed letters from Mr. Marte, his mother and brother, speak volumes about this heart-breaking separation.

The Court should also consider Mr. Marte's significant mental health and extensive drug abuse histories, as detailed in the PSR, §§ 58-59. Mr. Marte suffers from bipolar and schizophrenia, and has abused a pharmacological smorgasbord of substances, starting from the age of 14 years old up to the time of his arrest.

In spite of Mr. Marte's personal issues, he has been regularly employed, as described in §§ 161-66 of the PSR, and contributed to the support of his son and his mother.

Finally, the Court should also consider the likely prospect that after his release from prison, Mr. Marte will be deported since he is not a U.S. citizen. He is a legal resident who has resided in the United States since his youth when his family emigrated. His separation from his son after the defendant's likely deportation will further even more their separation.

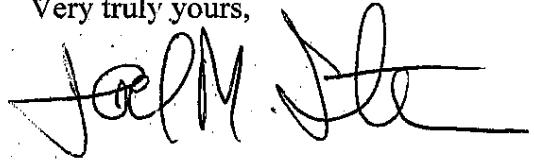
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Although the Court's discretion is limited by the fact that a mandatory minimum sentence must be imposed, the defendant respectfully requests that the Court consider imposing a sentence at the low end of the sentencing guidelines.

Thank you for your consideration of this matter.

cc: AUSA Todd Blanche/
Parvin Moyne

Very truly yours,



Joel M. Stein, Esq.
Counsel for David Marte